



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/772,071

02/04/2004

Charles D. Huston

5863-00203

1712

7590
Conley Rose, P.C.
P.O. Box 684908
Austin, TX 78768-4908

03/06/2008

EXAMINER

ISSING, GREGORY C

ART UNIT

PAPER NUMBER

3662

MAIL DATE

DELIVERY MODE

03/06/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

**UNITED STATES DEPARTMENT OF COMMERCE****U.S. Patent and Trademark Office**

Address : COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, Virginia 22313-1450

APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
10772071	2/4/04	HUSTON ET AL.	5863-00203

Conley Rose, P.C.
P.O. Box 684908
Austin, TX 78768-4908

EXAMINER

Gregory C.. Issing

ART UNIT	PAPER
----------	-------

3662	20080227
------	----------

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner for Patents

This communication clarifies two statements from the Examiner's Answer filed 2/12/08 noted by the Appeal Center. First, the statement of the Grounds of Rejection set forth in paragraph 9(b) on page 6, rejects claim 34 as applied to claims 32-33 which is not consistent with the Final Rejection statement that rejected claim 34 as applied to claim 33. However, it is noted that this is merely semantic in nature as claim 33 incorporates claim 32 since claim 33 is dependent from the independent claim 32. Second, in the Grounds of the Rejection, paragraph 9(c) on page 7, the grounds for rejection should read "Claims 21-36, 38, 39 and 41 are rejected on the ground of non-statutory obviousness-type double patenting . . ." since claim 37 has been previously cancelled (2/20/07).

/Gregory C. Issing/
Primary Examiner
Art Unit: 3662